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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX	) MDL CASE NO.: 05-CV-1699
MARKETING SALES PRACTICES AND	)
PRODUCT LIABILITY LITIGATION	)
_____	)
ACQUAROLE, et al.,	) CASE NO. CGC-06-449463
	) MDL Case No. 06-2392 CRB
	)
Plaintiffs,	) STIPULATION AND ORDER OF
	) DISMISSAL WITH PREJUDICE
vs.	) AS TO PLAINTIFF THOMAS MEAR
	)
PFIZER, INC., et al.	)
	)
Defendants.	)
_____	)

COME NOW, Plaintiff THOMAS MEAR and Defendants PFIZER, INC., et al., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and


**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE  
AS TO PLAINTIFF THOMAS MEAR**

1 hereby stipulate to the dismissal of Plaintiff THOMAS MEAR from this action, with prejudice,  
2 each side bearing its own attorney's fees and costs.

3  
4 Respectfully submitted,

5  
6 Dated: September 24, 2009

**KABATECK BROWN KELLNER LLP**

7  
8 By:   
9 Brian S. Kabateck, Esq.  
Attorneys for Plaintiff THOMAS MEAR

10  
11 Dated: October 27, 2009

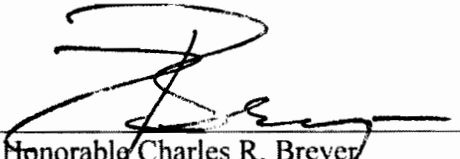
**DLA PIPER LLP**

12 /S/  
13 By: \_\_\_\_\_  
14 Matthew A. Holian  
Attorney for Defendants PFIZER, INC., et al.

15  
16 **ORDER**

17  
18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**  
19 **SO ORDERED.**

20  
21 Dated: OCT 29 2009

  
22 Honorable Charles R. Breyer  
23 United States District Court  
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